

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

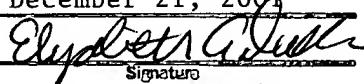
In re application of: : Docket: OT-4190  
Pedro S. Baranda, et al. : Date: December 21, 2001  
Appln. No.: 09/031,108 : Group Art Unit: 3652  
Filed: February 26, 1998 : Examiner: T. Tran

Title: TENSION MEMBER FOR AN ELEVATOR

Commissioner for Patents  
Washington, D.C. 20231

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Date

TERMINAL DISCLAIMER

OTIS ELEVATOR COMPANY, a New Jersey corporation having a principle place of business at 10 Farm Springs, Farmington, Connecticut 06032, is the assignee of the entire right, title, and interest in the above-referenced patent application and co-pending Application Number 09/218,990, filed on December 22, 1998, as evidenced by the assignment recorded in the United States Patent and Trademark Office at Reel 9981, Frame 0970.

The assignee/owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on co-pending Application Number 09/218,990, filed on December 22, 1998, of any patent on the co-pending application. The assignee/owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the co-pending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the assignee/owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the co-pending application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Applicants' undersigned attorney can be reached at the below-listed address and phone number.

Respectfully submitted,

PEDRO S. BARANDA, ET AL.

  
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